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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

12 UNITED STATES OF AMERICA,
13 Plaintiff,
14 v.
15 JUSTIN LEE TRIPP,
16 Defendant.

Case No. 2:20-cr-00237-APG-DJA
**Stipulation To Continue
Government's Deadline To File A
Response To Defendant's Motion and
Motion Supplement for
Compassionate Release
(ECF No. 102 and 114)
(Fifth Request)**

19 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M.
20 Frierson, United States Attorney, and Kimberly M. Frayn, Assistant United States
21 Attorney, counsel for the United States of America, and Jacqueline Tirinnanzi, counsel
22 for Justin Lee Tripp, that the government's time to respond to the defendant's Motion
23 and Motion Supplement for Compassionate Release (ECF No. 102 and 114) shall be
24 extended to and including November 30, 2022, for the following reasons:
25

1 1. In March 2022, defendant filed a *pro se* motion for compassionate release.
2 ECF No. 102. In it, Tripp raised a multitude of reasons he believed early release from
3 custody is warranted. On October 4, 2022, the defense counsel filed a supplement to the
4 motion, along with about 89 pages of exhibits. ECF No. 114 and 115.
5

6 2. In addition to the defendant's filings (ECF No. 102, 114 and 115), the
7 government received more than 225 pages of defendant's medical records on October 6,
8 2022. Government counsel needs additional time to review these medical records.
9

10 3. Counsel for the government was out of the district from October 20
11 through October 26, 2022. On or about October 21, 2022, while government counsel was
12 away, the defense filed exhibit 15 to supplement its motion. This exhibit contains a
13 former BOP employee's opinion about certain issued raised in Tripp's compassionate
14 release pleadings. ECF No. 102, 114 and 115. The government does not object to the
15 tardy filing of this exhibit, but does need additional time to review it, investigate it, and
16 incorporate an appropriate response into the government's responsive pleading.
17

18 4. The government is requesting a transcript of the sentencing hearing, which
19 the government wishes to review while evaluating some of the issues raised in ECF 102.
20 Even though the request will be made on an expedited basis, it may take some time to
21 receive the transcript.
22

23 5. Accordingly, more time is needed for the government to review the
24 pleadings and other relevant records, conduct any necessary follow up investigation, and
25 to research and draft an appropriate response.
26

6. The defendant is in BOP custody and does not object to the government's request. The parties agree to the extension of time.

7. This is the fifth request to extend the filing deadlines relating to the defendant's compassionate release request, but it is the government's second extension lengthening its time to file a responsive pleading. The parties have agreed that the government shall have up to and including November 30, 2022, in which to file its response. The additional time requested herein is not sought for purposes of delay, but merely to allow the government sufficient time to file its response.

DATED this 31st day of October, 2022.

JASON M. FRIERSON
United States Attorney

By /s/ Jacqueline Tirinnanzi
JACQUELINE TIRINNANZI, ESQ.
Counsel for Justin Tripp

/s/ Kimberly M. Frayn
By _____
KIMBERLY M. FRAYN
Assistant United States Attorney

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
JUSTIN LEE TRIPP,
Defendant.

Case No. 2:20-cr-00237-APG-DJA

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. In March 2022, defendant filed a *pro se* motion for compassionate release. ECF No. 102. In it, Tripp raised a multitude of reasons he believed early release from custody is warranted. On October 4, 2022, the defense counsel filed a supplement to the motion, along with about 89 pages of exhibits. ECF No. 114 and 115.

2. In addition to the defendant's filings (ECF No. 102, 114 and 115), the government received more than 225 pages of defendant's medical records on October 6, 2022. Government counsel needs additional time to review these medical records.

3. Counsel for the government was out of the district from October 20 through October 26, 2022. On or about October 21, 2022, while government counsel was away, the defense filed exhibit 15 to supplement its motion. This exhibit contains a former BOP employee's opinion about certain issued raised in Tripp's compassionate

release pleadings. ECF No. 102, 114 and 115. The government does not object to the tardy filing of this exhibit, but does need additional time to review it, investigate it, and incorporate an appropriate response into the government's responsive pleading.

4. The government is requesting a transcript of the sentencing hearing, which the government wishes to review while evaluating some of the issues raised in ECF 102. Even though the request will be made on an expedited basis, it may take some time to receive the transcript.

5. Accordingly, more time is needed for the government to review the pleadings and other relevant records, conduct any necessary follow up investigation, and to research and draft an appropriate response.

6. The defendant is in BOP custody and does not object to the government's request. The parties agree to the extension of time.

7. This is the fifth request to extend the filing deadlines relating to the defendant's compassionate release request, but it is the government's second extension lengthening its time to file a responsive pleading. The parties have agreed that the government shall have up to and including November 30, 2022, in which to file its response. The additional time requested herein is not sought for purposes of delay, but merely to allow the government sufficient time to file its response.

ORDER

THEREFORE, IT IS HEREBY ORDERED that the government shall have up

1 to and including November 30, 2022, in which to file its response to the Defendant's
2 motion and motion supplement for compassionate release (ECF No. 102, 114, and 115).
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4 DATED this 31st day of October 2022.
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8 HONORABLE ANDREW P. GORDON
9 United States District Judge
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